
**EQUAL OPPORTUNITY AND NONDISCRIMINATION
MONITORING INSTRUMENT**

Local Workforce Investment Board (LWIB) EO Review

LWIB:

LWIB Representative/Title:

*Please respond to the following items for the period covering the
most recent program year:*

**Element 1: Designation of State and Local Level
EO Officers**

Reference:

- Methods of Administration, Element 1
- 29 CFR Part 37.23 through 37.28

1. Name of Local WIB EO Officer:
2. To whom does the EO Officer report? (See DWD Issuance 05-2010)

Please provide a job description for the EO Officer and the LWIB's organization chart that includes the EO Officer position.

3. How is the EO Officer's identity made known to participants and service providers?
4. On what internal and external communications concerning the Local Workforce Investment Area's (LWIA) nondiscrimination and equal opportunity programs, does the EO Officer's identity and contact information appear? Please provide examples.
5. Does this person:
 - Conduct on-site visits to program operators and sub-contractors or review monitoring reports to ensure its sub-contractors are not violating their nondiscrimination obligations?

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- Provide EO training to all DWD staff, partner staff and subcontractors?
 - Review participant reports for equity of service?
 - Review written policies to make sure they are nondiscriminatory?
6. What equal opportunity training has been provided to staff within the Local Workforce Investment Area (LWIA)? **(Please specify dates and locations)**
 7. What training has been provided to program operators and sub-contractors? **(Please specify dates and locations)**
 8. What professional training has the Local EO Officer attended? **Identify the training received and dates:**
 9. Describe staffing support for the Local EO Officer, if any.

Do you need technical assistance in this element? If so, explain:

Element 2: Notice and Communication

Reference:

- Methods of Administration, Element 2
- 29 CFR Part 37.29 through 37.36

1. Where are the WIA “Equal Opportunity Is the Law” posters displayed (with the EO Notice) and which versions are displayed—English, Spanish or both? *(See DWD Issuance 06-2010)*
 - Are they in reasonable numbers and places?
 - Are the posters centrally located and in plain sight?
2. How is it ensured that participants are notified of their rights to file a complaint? Does the form include the required WIA “Equal Opportunity is the Law” language? Please provide copies of applicable documents.
3. What steps are taken to see that continuing notice is provided in the appropriate language when a significant number or proportion of the population eligible to be served, or likely to be directly affected, needs services or information in a language other than English?
4. What equal opportunity tagline is included in brochures, pamphlets and flyers?
 - What other communication medium is the tagline included? *(e.g., materials distributed or communicated in written, oral or electronic form to applicants, staff and the general public)*
 - Is the tagline included in public announcements and broadcasts?

The appropriate tagline is:

“_____ is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities.”

Please attach examples.

5. How does the LWIB ensure that continuing notice is provided to the following applicable groups, indicating that it does not discriminate on any prohibited ground:
 - Employees and applicants for employment;
 - Sub-recipients or sub-contractors;
 - Members of the public with disabilities, including individuals with vision or hearing related disabilities.
6. How has the LWIB communicated to its sub-contractors the requirement not to discriminate on the basis of disability and the obligation to provide reasonable accommodations?
7. What efforts does the LWIB make to ensure that communication with individuals with disabilities is just as effective as communication with others?
 - In all communications indicating that the LWIB providers may be contacted by telephone, is the telephone number for the TTY or relay service provided?
8. How is the 'Equal Opportunity Notice' provided in alternate formats for individuals with visual impairments?

Do you need technical assistance in this element? If so, explain:

Element 3: Assurances

Reference:

- Methods of Administration, Element 3
- 29 CFR Part 37.20 through 37.22

1. Do contracts contain the approved equal opportunity assurance language found at 29 CFR 37.20(a)(1), or a reference to that citation?

Please provide an example of a contract “Equal Opportunity Assurance” section.

Do you need technical assistance in this element? If so, please explain:

Element 4: Universal Access

Reference:

- Methods of Administration, Element 4
- 29 CFR Part 37.54(d)(1)(vi)

1. Describe efforts to conduct a demographic analysis of the population to be served in the LWIA.
2. What reasonable steps has the LWIB taken to ensure services and other information are provided to Limited English Proficient persons?
3. What languages other than English is information within the LWIA provided?
4. Where telephone numbers are indicated, what alternate provisions are listed for the hearing impaired, such as TTY/TDD or Relay Service?
5. Provide sample copies of brochures, pamphlets and flyers that include a TTY/TDD or Relay Service telephone number for the hearing impaired?
6. How are the required EO Notice and tagline provided in alternative formats for the visually impaired?
7. How do training providers provide programmatic and architectural accessibility for individuals with disabilities?
8. What outreach plans, strategies, and activities have been identified for various groups (racial/ethnic groups, individuals with disabilities, differing age) served in the LWIA?

Do you need technical assistance in this element? If so, please explain:

Element 5: Compliance with Section 504

Reference:

- Methods of Administration, Element 5
- 29 CFR Part 37.7 through 37.9
- 29 CFR Part 37.54(d)(2)(v)
- 29 CFR Part 32 Subparts B and C

1. Does the LWIA have an American with Disabilities Act (ADA) self-survey on file? If yes, provide a copy.
2. Are sub-contractor and service provider sites accessible to individuals with disabilities?
 - Are there appropriate parking areas available?
 - Is there at least one entrance to the buildings that are wheel chair accessible? If yes, does it have the international symbol for accessibility for individuals with disabilities posted? If no, where are these clients directed to go? Explain.
 - Do inaccessible entrances have signs indicating the location of the nearest accessible entrance? Explain.
 - Are there designated restrooms with appropriate signage available for individuals with disabilities? Explain.
 - Is TTY/TDD or Relay Service available for use? Explain.
3. Describe efforts to prohibit discrimination on the basis of disability in **employment** practices by the LWIB and its partners.
 - Requiring the provision of reasonable accommodations in employment, when appropriate.
 - Reviewing job qualifications to ensure that they do not use selection criteria that screen out or tend to screen out an individual with a disability on the basis of that disability unless the criteria is job related for the position in question and consistent with business necessity.
 - Prohibiting pre-employment inquiries regarding disability except to ask for the individual to self-identify himself or herself as a person with a disability on a voluntary basis for reporting purposes that will be maintained confidentially.

4. Is the LWIB aware of the following:

Y N

☐ ☐ It must not aid or perpetuate discrimination by providing significant assistance to a person or entity that discriminates on the basis of disability?

Y N

☐ ☐ Programs and activities must be administered in the most integrated settings possible?

Y N

☐ ☐ In determining the site or location of a facility, selections must not be made that have a discriminatory effect?

Y N

☐ ☐ For employment-related training, the selection criteria must be reviewed to ensure that they do not screen out or tend to screen out an individual with a disability or any class of individuals with disabilities from fully and equally enjoying the training unless the criteria can be shown to be necessary for the training being offered?

5. Please describe the availability of assistive technology for individuals with disabilities.

6. Please describe the LWIB Website with regards to its ADA accessibility.

7. Please describe any reasonable accommodations that have been provided for applicants, participants, or employees with disabilities.

- Are you aware that reasonable accommodations must be provided regarding registration for and the provision of aid, benefits, services or training--including core and intensive training--and support services to qualified individuals with disabilities?
- How is it made known that reasonable accommodations will be provided?

8. Describe how medical and disability related information is maintained in a secured and separate location from other files. *(See DWD Issuance 10-2010)*

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9. Please provide a copy of the written reasonable accommodation and sexual harassment policies? (See DWD Issuance 09-2010)

Do you need technical assistance in this element? If so, please explain:

Element 6: Data and Information Collection and Maintenance

Reference:

- Methods of Administration, Element 6
- 29 CFR Part 37.37 through 37.49

1. Please explain how EO data has been collected (race/ethnicity, sex age, and where known, disability status) within the WIA?
2. Please explain how EO data (race/ethnicity, gender, age and where known, disability status) is collected within the LWIB.
 - Please explain how data is maintained using safeguards that will restrict access to authorized personnel only.
 - Are records kept for a minimum of five (5) years? If not, please explain.
 - How is staff, including partner agency staff, made aware that specific data on race, gender, age, disability status, etc. must be collected?

Do you need technical assistance in this element? Is so, please explain:

Element 7: Monitor Recipients for Compliance

Reference:

- Methods of Administration, Element 7
- 29 CFR Part 37.54(d)(2)(ii)

1. Identify/list any Local EO Officer monitoring visits conducted for One-Stops, Affiliates and training providers.
 - Identify monitoring plan, including calendar of anticipated monitoring activities.

Do you need technical assistance in this element? If so, please explain:

Element 8: Complaint Processing Procedures

Reference:

- Methods of Administration, Element 8
- 29 CFR Part 37.70 through 37.89

1. What discrimination complaint policies and procedures are used by the LWIB? Please provide copies of policies and procedures. *(See DWD Issuance 16-1999, Change 4)*
2. Explain how customers and employees obtain a copy of the discrimination complaint policy and procedures and/or discrimination complaint form if requested?
3. The quarterly discrimination complaint log includes the following:
 - Name and address
 - Basis of complaint
 - Brief description of complaint
 - Date filed
 - Disposition

Please provide a copy of the most recent quarterly discrimination complaint log for review.

4. Please list any discrimination complaints filed with the LWIB in the past two program years.

Please respond to the following regarding each discrimination complaint listed on the quarterly complaint log:

- Was the discrimination complaint filed within 180 days of the alleged discriminatory act?
- Was the complainant provided assistance, if needed, in completing the discrimination form DWD-101?

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- Was complainant advised of the process to obtain resolution and referred to the appropriate resource?
 - Has the State EO Officer been advised of the discrimination complaint?
5. Describe the process established to keep discrimination complaint records for a period of at least five (5) years? (If fewer than 5 years, please provide process.)
 6. Describe the process for keeping the identity of the complainant or any individual who furnishes information relating to, or assisting in, an investigation request for information.
 7. Describe the LWIB procedure to receive and process discrimination complaints from sub-contractors or training providers.

Do you need technical assistance in this element? If so, please explain:

Element 9: Corrective Actions/Sanctions

Reference:

- Methods of Administration, Element 9
- 29 CFR Part 37.54(d)(2)(vii)

1. Describe the WIB procedures for obtaining voluntary compliance when equal opportunity violations are found.
2. Describe any corrective actions/sanctions taken against contractors/program operators in the past two program years.

Do you need technical assistance in this element? If so, please explain:

Completed By (Signature/Title) and Date:

If you have questions, please contact:

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State WIA EO Officer

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